

**Town of Foxborough
Conservation Commission Minutes
November 26, 2012**

Members Present: Robert Boette (Chair), Allan Curtis (Vice Chair), Eric Nelson (Clerk) Judith Johnson, Douglas Davis and Valerie Marshall
Member Absent: James Marsh
Staff Present: Jane Sears Pierce, Conservation Manager and Lee Ann Tavares, Secretary
Others Present: See attached sign-in sheet

Meeting Opened

Bob Boette opened the meeting, held in the Andrew A. Gala Jr. Meeting Room, at 7:00 PM.

Beaumont Pond Association Progress Update, DEP #157-499

Mike Hassman presented maps showing the testing sites and provided the test results. He noted higher content of phosphorous at all sites but there was a significant rise in phosphorus, 045mg/l compared to .03mg/l last year in the samples taken at the inlet. The swim area was tested for E-Coli and was fine. Mr. Hassman explained that last year a couple of boards were removed in order to lower the lake but the high rains kept the lake high. They will be pulling boards this year.

Minutes:

July 16, 2012, October 1, 2012

Eric stated that the July 16 and October 1 minutes were previously approved.

August 13, 2012, September 17, 2012

Will be approved at the next meeting.

October 22, 2012

Motion by Valerie Marshall to accept the minutes of October 22, 2012 as amended, seconded by Allan Curtis. **Vote: 6:0:0**

November 5, 2012

Motion by Eric Nelson to approve the minutes of November 5, 2012 as amended, seconded by Doug Davis. **Vote: 6-0-0**

92 East Belcher Road

Mr. and Mrs. Hannon presented photos of their yard and a document describing the alterations done to the property. Mr. Hannon outlined the remaining work. He plans to scrape the area and remove rocks with a York rake to prepare the area for seeding. He will use the rocks around the edge of the area. They plan to have horses on the property. Judi notes her concern about the fence being 8' from the pond and if it could provide a good enough water quality buffer. Also, the property slopes to the pond. She stated that as a general rule, a 25' buffer is needed for water quality purposes, but because there is not enough width to accomplish that in some areas, the Commission discussed moving the fence further away and adding a swale or berm to interrupt flow directly to the pond or stream. A straw waddle is in place now. Mrs. Hannon suggested a raised bed with blueberry plants. The proposed fence allow wildlife pass. Mr. Hannon stated that 6 trees were taken down under the guidance of Tree Tech Company. He described the damage done to the trees by vines. He plans to maintain the area by removing the invasives and pruning the trees. Mrs. Hannon stated that she had done extensive research on plants that are harmful to the horses. Mr. Hannon also described one area where the drain had to be repaired. He stated that Mr. Paicos had been on his property recently to see the area and that he would be speaking to Mr. Hill, who had also been to see the property, about the drainage issue. Judi explained the need for the 25' buffer and a net environmental benefit. Mr. Hannon stated that they are planning a

family farm and will work with the Commission. The berm will be earthen. Mr. Hannon asked about finishing the remainder of the work. Loam is needed in the area of erosion. He has already planted winter rye in one area and baby grass is visible. The Commission agreed to let him clean up and level the area and remove the rocks with a York rake. Jane will send a follow-up letter to Mr. Hannon.

NOI, Crackrock Pond Dam, DEP #157-TBD

Information Reviewed:

- NOI received 11/13/12

Alan Orsi and Lauren Hastings from Pare represented the applicant, Bob Kimball, NRC who was also present. Based on a 2004 inspection which found the dam to be in poor condition the Office of Dam Safety ordered the repair to comply with current dam safety regulations. A Phase II evaluation further defined necessary repairs. Mr. Orsi stated that they will address the immediate concerns. They propose to remove trees and vegetation, re-grade and loam and seed to stabilize the embankments. Upstream at the south end they will clear trees, re-grade the slope, install rip rap, cutoff seepage with pre-cast structures and remove the gate leaving only the overflow weir. They propose to repoint the spillway walls inside the culvert. Downstream they propose to clear the vegetation, loam and re-seed and install stability buttress at the outlet of the spillway. Grouted rip rap will be used. Impacts will be to the bank and land under water. Bob asked about the stability of the blocks. Mr. Orsi stated that not all are stable so they are putting in the buttress. They plan to look at all of them and make sure they are secure. A temporary coffer dam will be installed at the sluiceway to maintain impoundment. A diver, using underwater mortar will repoint the stone masonry. The mortar is approved for use in potable water. They will clear trees and roots and replace with new material and nonwoven geotech material. Mr. Orsi will provide breakdown of fill, temporary and permanent alteration and cut and fill numbers. A maintenance plan will be provided. They do not have an emergency action plan at this time. In 2008, while repairing a sink hole, they checked the walls. The bridge wall is beyond the scope of this project. Work would involve a town road and town bridge. Dam safety review will occur when plan is 99% done. Judi asked about mitigation and Mr. Orsi stated that there was not any as they were filing under a limited project. Work is proposed for next summer and will take approximately six weeks start to finish. They will file a Category 1 form with the ACOE. They have not received their DEP file number.

Motion by Allan Curtis to continue to 12/10/12, seconded by Judi Johnson. **Vote: 6:0:0**

RFD, Morse Street, Town of Foxborough DPW

Information Reviewed:

- RFD received 11/14/12

Bob Swanson was present. Mr. Swanson described the flooding by the Bleachery and the proposed emergency overflow. As per Judi's previous suggestion he looked for and found 15 x 28 concrete oval pipe. He did not want a flared end as there could be problems with it plugging up. He proposed a granite curb headwall. He explained that there was a water line, sewer line and gas main in the area. The pipe will not be as deep as they would like due to the wetlands. Doug feels they should have filed a Notice of Intent for the work proposed as it is in Riverfront. Mr. Swanson stated that the RFD was not sent to the DEP. Judi wants to see the site. She asked Mr. Swanson if any permits were required with the ACOE. Mr. Swanson stated that this was a limited project. She added that the flat bottomed pipe was for a stream crossing, not an overflow pipe. He stated that the existing structure is not sufficient and that this would be a one day project. Currently there is a 36" culvert with 2 headwalls, one of which was abandoned when the sewer went in. He explained that the overflow has been a problem for years and needs to be addressed. The Commission needs more information including the location and proposed depth of the new pipe and the elevation of the invert. Also wetland delineation needs to be done. Jane agreed to help with the flagging of the wetland. Any impacts need to be addressed. Doug stated that they need to file a Notice of Intent to put a pipe in the Riverfront area. Mr. Swanson will mark area with orange paint.

Motion by Doug Davis to issue a positive determination, citing the need for a Notice of Intent due to work proposed in the Riverfront area, seconded by Judi Johnson. **Vote 6-0-0**

Enforcement Guidelines

The Commission will read the draft and comment at next meeting.

Potential Land Acquisition, Spring Street Lot (Assessor's Map 148, Parcel 3885)

The Commission discussed the benefit of acquiring a lot on Spring St. Jane had evaluated the property using the Open Space Resource Criteria Parcel Ranking Form and found it ranks at a 3. Judi stated that she felt the land was valuable and suggested taking it to help reach goal of 25%. Val, Eric and Doug agreed. The property is contiguous with both town owned land and Commission property.

Motion by Judi Johnson to accept the Spring Street Lot (Assessor's 3885) due to its being contiguous to both town owned and Conservation property, seconded by Valerie Marshall. **Vote 6-0-0**

Bow Hunting

The Commission reviewed the maps Jane provided. Since the Town leases the land from the State would they need to seek permission from the State? Town Counsel needs to be consulted.

Motion by Doug Davis to put up No Hunting signs on Commission's properties that are too small to hunt by next season, seconded by Judi Johnson. **Vote 6-0-0**

Certificate of Compliance, 36 Ridge Road, DEP #157-483

Motion by Judi Johnson to issue a COC for 36 Ridge Road, seconded by Doug Davis. **Vote 6-0-0**

Partial Certificate of Compliance, Lots 1 and 3 McNamara Way, DEP #157-497

Jane reported that the site is not stable and silt fence is required. Also, an as built plan is required. The plan given does not have contours or limit of disturbance nor does it show the wetlands. The DEP number is not up on site. Jane added that the road is covered in dirt and will be cleaned. She said that the applicant has complied so far and recommends approving the PCOC.

Motion by Judi Johnson to issue a PCOC for Lots 1 and 3 McNamara Way, seconded by Doug Davis. **Vote 6-0-0**

Highlawn Farms Deed

The Commission re-signed the deed for Highlawn Farms as an original is needed to record at the Registry of Deeds.

East Belcher Road Compost Facility

Judi saw large logs against the wetlands when she visited the site. Jane reported that she had not received the as built plan yet. The work has gone beyond what was originally approved. Doug stated that he also saw the encroachment into the wetlands. Val added that the plan the operators were given was very confusing. Judi noted concern for the backfilled trees next to the logs. Mitigation will be required. Jane will send a letter to Mr. Felix requesting that he appear at the next meeting with the as-built plan and that he must hand dig the dirt away from the trees. Next Saturday will be the last time it is open for brush and leaves this season.

Town Manager Act

According to information from the Town Clerk, the Act has passed and is in effect.

Lincoln Hill Camp/Oak Street

Judi voiced her opposition to selling conservation properties. Doug, Val and Eric agreed. Selling off lots would diminish the value of the property for conservation and recreation purposes. Leasing to the "Y" was mentioned.

Beaver Management

Jane will be attending a beaver management program in Medfield on 12/4. She was told by the Foxborough Animal Control Officer that three beavers were killed on Lakeview Road.

Earth Day Celebration 2013

The Commission will discuss this at their next meeting.

Motion by Valerie Marshall to adjourn, seconded by Eric Nelson. **Vote 6-0-0**
The meeting adjourned at 10:05 PM

Respectfully submitted,

Eric Nelson, Clerk

Draft minutes submitted by Lee Ann Tavares

Approved by Commission: 12/10/12

Documents, Not Referenced Above, Reviewed During Meeting

Attached Documents:

1. Agenda, November 26, 2012
2. Meeting Sign In Sheet

Location of Other Documents:

3. Manager's Report, filed in Manager's Report binder in Conservation Commission's office.
4. Referenced projects' documents: please see Conservation Commission's project file